

REMARKS

Claims 9, 10 and new claims 11-27 are now in this application. Claims 1-8 are cancelled and claims 9 and 10 are rejected. Claim 9 is amended herein to clarify the invention, to broaden language as deemed appropriate and to address matters of form unrelated to substantive patentability issues.

Applicant submits herewith a substitute specification and abstract wherein amendments are effected to place the text thereof into proper English in accordance with 37 CFR 1.125(c). Also accompanying this amendment is a reproduction of the original specification with markings indicating the amendments effected in the substitute specification in accordance with MPEP §608.01(q) and 37 CFR 1.125(b). No new matter is added. Entry of the substitute specification and abstract is respectfully requested.

Rejection under 35 U.S.C. §112

Claims 5-8 are rejected under 35 U.S.C. §112, second paragraph, in view of informalities in claims 5-7.

Claims 5-8 are canceled so that the Examiner's rejection of the claims has been overcome.

Rejection under 35 U.S.C. §102

Claims 1-7 are rejected under 35 U.S.C. §102(b) as being anticipated by Edwards (U.S. Pat. No. 3,223,305).

Claims 1-7 are canceled so that the Examiner's rejection of the claims has been overcome.

Rejection under 35 U.S.C. §103

Claims 8-10 are rejected under 35 U.S.C. §103(a) as being unpatentable over Edwards.

Claim 8 is canceled so that the Examiner's rejection of this claim has been overcome.

With respect to claims 9 and 10, the Examiner's rejection is respectfully traversed on the grounds that Edwards does not teach or suggest all of the features of these claims. Specifically, claim 9 recites that the body of the container is injection-molded and includes vertical ribs each extending in a straight line along a circumferential wall, and that the vertical ribs are spaced apart from one another and continuously extend along an exterior surface of the circumferential wall, i.e.,

over the entire circumference of the container (see the specification at page 9, 4th full paragraph). Claim 9 now also specifies that the width of a base part of each vertical rib is from one to four times the thickness of the circumferential wall. This relationship is important because a problem arises when forming a container body having straight vertical ribs using an injection-molding technique in that the molten resin does not flow completely into the circumferential wall and vertical ribs and imperfections in the container occur. By constructing the width of the base part of each vertical rib in the set relationship to the thickness of the circumferential wall, such a problem does not arise. This is discussed in more detail in the specification in the paragraph bridging pages 11 and 12.

Edwards does not disclose injection-molding the container body and does not provide vertical ribs extending in a straight line on the container body continuously along the circumferential wall. Rather, the container body is formed by a sheet forming technique, see col. 4, lines 55-57 describing the formation of the plastic cups by axially collapsing portions thereof while the plastic material is in a plastic state. The fins are either horizontal (40 in Figs. 1-6), helical or spiral (40c' in Figs. 7 and 8) or arranged in a zig-zag fashion (40d' in Figs. 9 and 10). The horizontal and helical or spiral fins are not vertical as claimed whereas the zig-zag fins do not extend in a straight line continuously along the circumferential wall but rather have sharp turns.

In view of the fact that the plastic cup of Edwards is not injection-molded and does not include straight, vertical ribs, it would not have been obvious to one of ordinary skill in the art to provide the base part of the vertical ribs with the set relationship to the thickness of the circumferential wall in order to avoid the problem associated with the flow of molten resin into the straight, vertical ribs during the injection molding process.

In view of the changes to claim 9 and the arguments presented above, it is respectfully submitted that the Examiner's rejection of claims 9 and 10 has been overcome and should be removed.

New Claims

Claims 11-27 are added. Claims 11-16 are directed to additional embodiments of the container in accordance with the embodiment of the invention set forth in claim 9 and are supported by the description of this embodiment in the specification at pages 9-11.

Claims 17-27, of which claim 17 is an independent claim, are directed to another embodiment of the invention wherein the container body includes straight, vertical ribs spaced apart from one another and downwardly-facing subsidiary ribs each arranged between adjacent vertical ribs and having opposite lateral edges coupled to the adjacent vertical ribs. These features were previously set forth in

claims 1-4, now cancelled. Edwards does not disclose a container having both vertical ribs and subsidiary ribs arranged between the vertical ribs as now set forth in claim 17.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-1250.

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enc: Substitute Specification; and Marked reproduction of original specification.

APPENDIX I

AMENDED CLAIMS WITH AMENDMENTS INDICATED THEREIN
BY BRACKETS AND UNDERLINING

9. (Amended) A heat-insulating food container comprising
an injection-molded container body having
a bottom wall,
a circumferential wall integrally coupled to a periphery of [the] said
bottom wall and upwardly extending therefrom for defining an inner space and an
upper open end, and
vertical ribs each extending in a straight line along said
circumferential wall and having a base part, said vertical ribs being spaced apart from
one another and continuously extending along an exterior surface of said
circumferential wall,
wherein [the] a width (T) of [a] said base part of each of said vertical [rib]
ribs and [the] a thickness (t) of [the] said circumferential wall are [formed based upon
the relationship of] constructed such that $t \leq T \leq 4t$.